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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ANOOP RAJKUMAR	Case No. C08-01600 PVT
Plaintiff,	
vs.	
CISCO SYSTEMS, INC., WIPRO TECHNOLOGIES, INC., DELOITTE CONSULTING LLC, NAVAL MOHTA, VENU DHARMAPURI, KENNY PAUL, and VARIOUS JOHN DOES,	DEFENDANT NAVAL MOHTA'S ANSWER TO COMPLAINT; CERTIFICATE OF INTERESTED PERSONS OR ENTITIES
Defendants.	

Defendant Naval Mohta ("Mohta"), by and through his attorney Law Offices of Richard Wahng, states for his Answer and Affirmative Defenses to the Complaint of plaintiff Anoop Rajkumar as follows:

JURISDICTION

1. The allegations in this paragraph amount to legal conclusions to which no answer is required.
2. The allegations in this paragraph amount to legal conclusions to which no answer is required.

PARTIES

3. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

DEFENDANT NAVAL MOHTA'S ANSWER TO COMPLAINT; CERTIFICATE OF INTERESTED PERSONS OR ENTITIES

4. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

5. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

6. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

7. Mohta admits that he resides in Santa Clara County, California.

8. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

9. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

10. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

11. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

12. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

13. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies

14. Mohta denies that he was an agent, servant, business partner, or in joint ventures with other named defendants in this case. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations pertaining to other defendants, and on that basis denies.

COUNT I

15. Mohta denies each and every allegation in this paragraph against him. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations pertaining to other defendants, and on that basis denies.

16. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

17. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

18. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

COUNT II

19. Defendant Mohta incorporates by reference responses to paragraphs 15, 16, 17 and 18.

20. Mohta denies each and every allegation in this paragraph against him. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations pertaining to other defendants, and on that basis denies.

21. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

COUNT III

22. Defendant Mohta incorporates by reference responses to paragraphs 15, 16, 17 and 18.

23. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta denies the allegations.

24. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta denies the allegations.

COUNT IV

25. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

26. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations against Deloitte Consulting LLC, and on that basis denies.

COUNT V

27. Defendant Mohta incorporates by reference responses to paragraphs 16, 17 and 18.

28. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta denies the allegations.

29. Mohta is without knowledge or information sufficient to form a belief as to damages allegedly suffered by plaintiff, if any, and on that basis denies. In all other respects denied.

COUNT VI

30. Defendant Mohta incorporates by reference responses to paragraphs 1-29.

31. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

32. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations, and on that basis denies.

33. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations against other defendants, and on that basis denies.

COUNT VII

34. Defendant Mohta incorporates by reference responses to paragraphs 1-33.

35. Mohta denies each and every allegation in this paragraph against him. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations pertaining to other defendants, and on that basis denies.

36. This paragraph states legal conclusions to which no response is required. Insofar as the allegations stated in this are factual, Mohta denies the allegations. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations against other defendants, and on that basis denies.

37. Mohta is without knowledge or information sufficient to form a belief as to damages allegedly suffered by plaintiff, if any, and on that basis denies. Mohta is without knowledge or information sufficient to form a belief as to the truth of the allegations pertaining to other defendants, and on that basis denies.

Defendant denies that plaintiff is entitled to any of the relief for which plaintiff has prayed, including without limitation compensatory damages, lost wages, prejudgment interest and costs of suit.

Defendant hereby denies any and all allegations made by plaintiff unless specially admitted herein. Defendant asserts the following affirmative defenses:

FIRST AFFIRMATIVE DEFENSE

The complaint fails to state any claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Some or all of plaintiff's claims are barred by the applicable statute of limitations.

THIRD AFFIRMATIVE DEFENSE

The court lacks personal jurisdiction over the defendant.

FOURTH AFFIRMATIVE DEFENSE

The complaint is barred by virtue of plaintiff's unclean hands.

FIFTH AFFIRMATIVE DEFENSE

By virtue of plaintiff's conduct, plaintiff has waived and is estopped from asserting the causes of action alleged against the defendant in this complaint.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff lacks standing to bring this action.

SEVENTH AFFIRMATIVE DEFENSE

The complaint is barred by plaintiff's failure to avoid or mitigate his damages.

EIGHTH AFFIRMATIVE DEFENSE

The complaint is barred because at all times alleged in the complaint, defendant acted in good faith, and defendant's conduct was at all times reasonable, prudent and justified under the circumstances.

NINTH AFFIRMATIVE DEFENSE

Plaintiff is precluded from asserting the causes of action in the complaint on the ground that plaintiff, or his agents, employees or other representatives, directed, ordered, ratified or approved the actions which form the causes of action set forth in the complaint.

TENTH AFFIRMATIVE DEFENSE

Any damage or loss sustained by plaintiff, if such occurred, was proximately caused or contributed to by plaintiff's own bad faith. Accordingly, plaintiff's recovery, if any, should be reduced by that amount of bad faith attributable to the plaintiff's conduct.

ELEVENTH AFFIRMATIVE DEFENSE

Any award to plaintiff must be offset by all sums received from any source, including but not limited to, unemployment insurance, private insurance, and any sums earned by plaintiff in other employment.

TWELTH AFFIRMATIVE DEFENSE

To the extent that the complaint does not describe the claims or facts with sufficient particularity to permit defendant to ascertain what other defenses may exist, defendant will rely on any and all other defenses that become available or appearing during discovery in this action and specifically reserves the right to amend this Answer for purposes of asserting such additional defenses.

WHEREFORE, defendant requests that the court enter judgment in his favor, and against plaintiff as follows:

1. That plaintiff takes nothing by way of his complaint;
2. For a judgment awarding defendant the cost of suit;
3. For reasonable attorney's fees incurred in the defense of this action; and
4. For such other and further relief as the Court may deem just and proper.

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DEFENDANT NAVAL MOHTA'S ANSWER TO COMPLAINT; CERTIFICATE OF INTERESTED PERSONS OR ENTITIES

1 **CERTIFICATION OF INTERESTED ENTITIES OR PERSONS**

2 The undersigned certifies that the following listed persons, associations of persons, firms,
3 partnerships, corporations (including parent corporations) or other entities (i) have a financial
4 interest in the subject matter in controversy or in a party to the proceeding, or (ii) have a non-
5 financial interest in the subject matter or in a party that could be substantially affected by the
6 outcome of this proceeding: None, other than the named parties in this action.

7 Dated: July 14, 2008

8 Law Offices of Richard Wahng

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10 _____
11 /s/
12 Richard Wahng
13 Attorney for Defendant